



IAP15 Rec'd PCT/PTO 26 OCT 2006

PATENT

ATTORNEY DOCKET NO: 65084.000018

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number : 10/573,999 Confirmation No.: 9272  
Applicant : Claus FROBERG  
Filed : September 29, 2004  
Title : PLANTS WITH INCREASED ACTIVITY OF A CLASS 3  
BRANCHING ENZYME  
TC/Art Unit : 1638  
Examiner: : Unassigned  
Docket No. : 65084.000018  
Customer No. : 21967

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicant submits attached Form PTO/SB/08A (modified) for consideration and request the references cited therein be made of record by the U.S. Patent and Trademark Office in the above-captioned application.

Several of the cited documents were cited by the European Patent Office in the International Search Report dated December 27, 2004 for International Application No. PCT/EP2004/010984, which was filed on September 29, 2004. A copy of the International Search Report (December 27, 2004); International Preliminary Report on Patentability (September 21, 2005), and Written Opinion of the International Searching Authority (July 30, 2005) are enclosed herein. In accordance with 37 C.F.R. § 1.98(a)(2)(ii), copies of cited U.S. patents are not being provided.

Applicant respectfully notes that the submission of the listed references in this Information Disclosure Statement is not an admission that they are prior art or that they are material to patentability of any claims of the application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made by Applicant.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form SB/08A with the Examiner's initials in the left column in accordance with MPEP § 609 are respectfully requested.

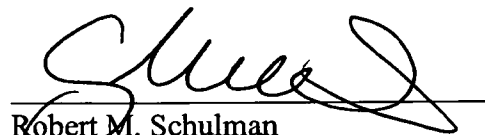
In accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is believed to be submitted prior to issuance of a first Office Action, therefore, it is respectfully submitted that no fee is required for consideration of this information. However, in the event a fee is deemed necessary, the Director is authorized to charge the undersigned's Deposit Account No. 50-0206 a fee of \$180.00 pursuant to 37 C.F.R. § 1.17(p). In the event that additional fees are deemed necessary, or in the event of any variance between the amount enclosed and the fees determined by the U.S. Patent and Trademark Office, please charge or credit any such variance to the undersigned's **Deposit Account No. 50-0206**.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: October 26, 2006

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number 10/573,999

Filing Date March 30, 2006

First Named Inventor Claus FROHBERG

Art Unit 1638

Examiner Name Unassigned

Sheet 1 of 2

Attorney Docket Number 65084.000018

**U.S. PATENT DOCUMENTS**

*Examiner Initials	Cite No.	DOCUMENT NUMBER Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			

**FOREIGN PATENT DOCUMENTS**

*Examiner Initial	Cite No.	FOREIGN PATENT DOCUMENT		Publication Date MM-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	TRANSLATION	
		Country Code:	Number - Kind Code (if known)				YES	NO
/BP/	1.	EP	1 103 617 A2	05-2001	Aventis CropScience GmbH		<input type="checkbox"/>	<input type="checkbox"/>
/BP/	2.	WO	96/34968	11-1996	Cooke et al.		<input type="checkbox"/>	<input type="checkbox"/>

**NON-PATENT LITERATURE DOCUMENTS**

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION	
			YES	NO
/BP/	3.	Blauth et al. (March 2001) "Identification of <i>Mutator</i> Insertional Mutants of Starch-Branching Enzyme 2a in Corn." <u>Plant Physiology</u> 125: 1396-1405		
↓	4.	Blauth et al. (2002) "Identification of <i>Mutator</i> insertional mutants of starch-branching enzyme 1 ( <i>sbe1</i> ) in <i>Zea mays</i> L." <u>Plant Molecular Biology</u> 48: 287-297		
	5.	Flipse et al. (1996) "Introduction of sense and antisense cDNA for branching enzyme in the amylose-free potato mutant leads to physico-chemical changes in the starch." <u>Planta</u> 198: 340-347		
	6.	Jobling et al. (1999) "A minor form of starch branching enzyme in potato ( <i>Solanum tuberosum</i> L.) tubers has a major effect on starch structure: cloning and characterisation of multiple forms of <i>SBE A</i> ." <u>The Plant Journal</u> 18(2): 163-171		

EXAMINER SIGNATURE /Brent Page/

DATE CONSIDERED 05/30/2008

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number		10/573,999	
				Filing Date		March 30, 2006	
				First Named Inventor		Claus FROBERG	
				Art Unit		1638	
				Examiner Name		Unassigned	
Sheet	2	of	2	Attorney Docket Number		65084.000018	

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			YES	NO
/BP/	7.	Khoshnoodi et al. (1996) "The multiple forms of starch-branching enzyme I in <i>Solanum tuberosum</i> ." <u>Eur. J. Biochem</u> 242: 148-155		
	8.	Kortstee et al. (1998) "The influence of an increased degree of branching on the physico-chemical properties of starch from genetically modified potato." <u>Carbohydrate Polymers</u> 37: 173-184		
	9.	Larsson et al. (1998) "Molecular Cloning and characterization of starch-branching enzyme II from potato." <u>Plant Molecular Biology</u> 37: 505-511		
	10.	Mizuno et al. (September 5, 1993) "Alteration of the Structural Properties of Starch Components by the Lack of an Isoform of Starch Branching Enzyme in Rice Seeds." <u>The Journal of Biological Chemistry</u> 268(25): 19084-19091		
	11.	Rydberg et al. (2001) "Comparison of starch branching enzyme I and II from potato." <u>Eur. J. Biochem.</u> 268: 6140-6145		
	12.	GenBank Accession No. BG886850 (June 8, 2001)		
↓	13.	GenBank Accession No. Q8GWK4 (March 1, 2003)		

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